

REMARKS

Claims 1 - 32 are pending, with claims 4, 6 - 10, 12 - 16, 20, 22 - 26 and 28 - 32 having been withdrawn from consideration until such time as a generic claim is found allowable, with claims 1, 5, 11, 17, 21, and 27 having been rejected, and with claims 2, 3, 18 and 19 having been objected to.

By the above amendment, claims 2, 3, 18 and 19 have been amended by rewriting these claims in independent form, including all the limitations of the base claim and any intervening claims. As claims 2, 3, 18 and 19 were merely objected to in the last Office Action, it is believed that these claims should now be allowable.

Claims 1, 5, 17 and 21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Mashitani et al. (U.S. Patent No. 6,710,920) in view of Karasawa (U.S. Patent No. 6,040,945). Reconsideration of this rejection is respectfully requested in view of the above Amendment. As amended, base claim 1 (from which claim 5 depends) and base claim 17 (from which claim 21 depends) have been amended to require ". . . an optical magnifying system having left and right optical viewing systems with respective optical axes that are separate and aligned substantially parallel with one another . . .". It is submitted that the combined teachings of Mashitani et al. in view of Karasawa would not suggest making the left and right viewing systems separate and aligned parallel to one another. The element 2 in Fig. 9 of Mashitani et al., for example, would not suggest to one of ordinary skill in the art to make the optical axes of the left and right optical viewing systems separate and aligned substantially parallel with one another as is now claimed, since the optical axes of the two plates thereof have surfaces that are parallel to one another rather than separate optical axes that are parallel to one another. Furthermore, since Karasawa is not intended to provide or capable of providing images to both eyes simultaneously, Karasawa does not make up for the deficiency of Mashitani et al. in suggesting this feature which is absent from the teachings of Mashitani et al. Thus, it is respectfully submitted that claims 1, 5, 17 and 21 should now be allowable over the prior art of record.

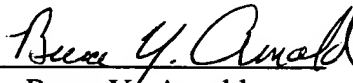
Claims 11 and 27 stand rejected under 35 U.S.C. 103(a) as being unpatentable over

Mashitani et al. in view of Mitamura et al. (U.S. Patent No. 6,646,805). Reconsideration of this rejection is respectfully requested. Claims 11 and 27 as previously presented each required "... an optical magnifying system which includes left and right optical viewing systems, the left and right optical viewing systems having separate optical axes ...". As noted in the paragraph immediately above, Mashitani et al. fails to suggest to one of ordinary skill in the art to make the optical axes of the left and right optical viewing systems separate, as required by claims 11 and 27, and this deficiency is not remedied by the teachings of U.S. Patent No. 6,646,805 to Mitamura et al. Therefore, it is respectfully requested that the rejections of claim 11 and 27 as being unpatentable over Mashitani et al. in view of Mitamura et al. be withdrawn.

Having pointed out that the various rejections of claims 1, 5, 11, 17, 21 and 27 under 35 U.S.C. 103(a) are either (1) improper (e.g., claims 11 and 27) or (2) no longer apply due to the base claim having been amended (i.e., base claims 1 and 17), it is respectfully requested that, unless more pertinent prior art is found, an early Notice of Allowability be provided. In the event that claims 1 or 17 are allowed, the Examiner is requested to rejoin the non-elected dependent claims which depend from these claims, since claims 1 and 17 are obviously either generic or linking claims to such dependent claims. A check in the amount of \$920.00 is attached to cover the fee (\$120.00) for 1-month extension of time, and the fee (\$800.00) for amending claims 2, 3, 18 and 19 so as to be in independent form.

Respectfully submitted,

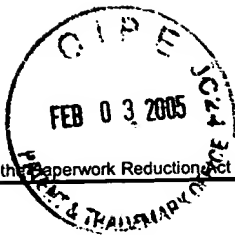
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